

Message Text

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16

ACTION EA-10

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TO SECSTATE WASHDC 5863

AMEMBASSY CANBERRA

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E.O. 11652: N/A

TAGS: PFOR, AS

SUBJ: WILFRED BURCHETT DEFAMATION SUIT

REF : CANBERRA 6640

SYDNEY 2234

CANBERRA 6969

1. SUBJECT SUIT BY WILFRED BURCHETT, WELL KNOWN AUSTRALIAN COMMUNIST, AGAINST DLP FEDERAL SECRETARY AND FORMER SENATOR JACK KANE, COMMENCED MONDAY, OCTOBER 21 IN SYDNEY SUPREME COURT.

MR. BURCHETT ALLEGES HE WAS DEFAMED BY AN ARTICLE IN THE DLP PUBLICATION "FOCUS" IN NOVEMBER 1971.

2. BURCHETT'S ATTORNEY, H.L. COOPER, SAID THE FOCUS ARTICLE QUOTE THE BURCHETT REVELATIONS UNQUOTE ALLEGED THAT BURCHETT WAS SIGNED UP BY THE KGB AFTER HAVING WORKED FOR THE CHINESE AND THE NORTH VIETNAMESE AND THAT THIS WAS WILD AND UNFOUNDED. BURCHETT'S PROSECUTION OF THE DEFAMATION SUIT APPEARS TO BE BASED THAT THE ARTICLE WAS DEFAMATORY ON ITS FACE AND TO DATE NO WITNESSES HAVE BEEN OFFERED BY BURCHETT.

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MR. COOPER SUBMITTED THE ARTICLE SHOWED A WANTON

DISREGARD FOR THE TRUTH, A FAILURE TO CHECK FACTS AND
A DESIRE TO INJURE MR. BURCHETT.

3. THE ENTIRE WEEK HAS BEEN TAKEN UP BY KANE'S DEFENCE
CASE IN WHICH THE FOLLOWING WITNESSES APPEARED GIVING
TESTIMONY AS INDICATED:

THOMAS H.J. HOLLIS, AUSTRALIAN, FORMER POW IN KOREA,
TESTIFIED BURCHETT TOLD AUSTRALIAN POW'S HE COULD IMPROVE
THEIR CONDITIONS IF THEY WOULD COLLABORATE WITH THE OTHER
SIDE.

DONALD P. BUCK, AUSTRALIAN, FORMER POW IN KOREA, SAID HE
MET BURCHETT IN A KOREAN POW CAMP AND BURCHETT TOLD HIM
HE WAS A COMMUNIST SYMPATHISER.

YURI KROTKOV (AKA GEORGE KARLIN ALSO KNOWN) FORMER KGB
AGENT LIVING IN AMERICA, TESTIFIED BY AFFADAVIT, BURCHETT
TOLD HIM IN A MOSCOW RESTAURANT IN 1956 HE WAS A MEMBER OF
THE AUSTRALIAN COMMUNIST PARTY AND THAT HE WANTED TO STAY
IN MOSCOW TO WORK AND FURTHER THAT HE WAS A PERSONAL FRIEND
OF CHOU EN-LAI. KROTKOV SAID BURCHETT TOLD HIM HE WENT
SECRETLY TO PATHET LAO SQUADS AND HAD A VILLA IN NORTH
VIETNAM.

DEREK G. LINNE, AMERICAN, FORMER BRITISH POW, SAID BURCHETT
TOLD HIM IN THE POW CAMP IN 1952 AFTER BURCHETT ADDRESSED
1400 BRITISH/US PRISONERS THAT HE COULD HAVE HIM SHOT.

ERIC DONNELLY, AUSTRALIAN, FORMER POW, SAID DURING AN
EXCHANGE OF SICK AND WOUNDED PRISONERS THAT THE ALLIES
AMPUTATED PRISONERS LIMBS TO SAVE GIVING PROPER
MEDICAL TREATMENT.

ROBERT PARKER, AUSTRALIAN, FORMER POW, TESTIFIED
BURCHETT TOLD HIM IN 1952 THAT HE HAD NO RIGHT TO BE
IN KOREA AND WAS BEING WELL TREATED BECAUSE OF THE
LENIENT POLICY OF THE CHINESE.

PAUL R. KNISS, AMERICAN, FORMER POW, SAID BURCHETT HAD
ADMITTED EDITING A CONFESSION OF KNISS'M MADE AFTER DAYS
OF INTERROGATION.

SIR MERVYN F. BROGAN, FORMER CHIEF OF THE GENERAL STAFF,
AUSTRALIAN ARMY, SAID BURCHETT HAD A DIABOLICAL REPUTATION
BORDERING ON TREACHERY.

HAROLD A. RICHARD, AUSTRALIAN, TESTIFIED THAT WHILE
RICHARDSON WAS A WAR CORRESPONDENT AT PEACE TALKS IN
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1953, BURCHETT CAME TO THE TALKS WITH CHINESE AND NORTH
KOREAN REPRESENTATIVES.

IAN H. WARD, SE ASIA CORRESPONDENT FOR LONDON DAILY
TELEGRAPH SAID HE HAD MET BURCHETT IN 1966-67 IN PHNOM
PENH AND SAID HE REGARDED BURCHETT A VOICE PIECE
FOR THE COMMUNIST SIDE IN NORTH VIETNAM.

WALKER MAHURIN, AMERICAN, FORMER POW, SAID HE WAS CAREFUL
NOT TO ANTAGONISE BURCHETT IN A KOREAN POW CAMP BECAUSE

HE FELT BURCHETT HAD CONTROL OVER HIS DESTINY.
SIR THOMAS DALEY, FORMER CHIEF OF THE AUSTRALIAN GENERAL
STAFF, SAID THE AUSTRALIAN ARMY IN 1952 AND 1953 REGARDED
BURCHETT WITH THE GREATEST CONTEMPT AS A MAN WHO WAS ON
CLOSE AND FRIENDLY TERMS WITH THE NORTH KOREANS.

4. SOURCES CLOSE TO THE TRIAL FEEL THE WEEK HAS GONE
WELL FOR SENATOR KANE IN THE PRESENTATION OF
HIS CASE AND THAT SINCE BURCHETT NOR HIS ATTORNEY DENIED ANY
OF THE TESTIMONY, KANE SEEMS REASONABLY CONFIDENT OF
WINNING. SENATOR KANE'S CASE WILL CONCLUDE AT MIDDAY
MONDAY, OCTOBER 28 AND BURCHETT'S ATTORNEY WILL THEN
HAVE OPPORTUNITY FOR REBUTTLE. IT IS NOT YET CERTAIN
THAT BURCHETT WILL TESTIFY.
MARSHALL

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